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## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : David Allison Bennett, et al.  
Application No. : 09/680,654  
Filed : October 6, 2000  
Title : APPARATUS, SYSTEMS AND METHODS FOR ONLINE,  
MULTI-CARRIER, MULTI-SERVICE PARCEL SHIPPING  
MANAGEMENT FEATURING SHIPPING RATE AND  
DELIVERY SCHEDULE COMPARISON FOR MULTIPLE  
Technology Center : 3600  
Grp./Div. : 3629  
Examiner : Jamisue A. Webb  
Patent Appeals  
Specialist : Tracey M. Young  
Docket No. : PSTM0015/MRK

### TRANSMITTAL LETTER FOR RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

140 S. Lake Ave., Suite 312  
Pasadena, CA 91101-4710  
August 31, 2006

Commissioner:

Enclosed are the following:

1. Response to Notification of Non-Compliant Appeal Brief;
2. Replacement Amended Appeal Brief, including Claims Appendix,  
Evidence Appendix and Related Proceedings Appendix, (Total 195 pages); and
3. Return post card.

The requisite fee set forth in 37 C.F.R. §41.20(b)(1) for filing a Notice of Appeal was presented with the filing of the Notice of Appeal and a Pre-Appeal Brief Request for Review, both of which are recorded on the U.S. Patent and Trademark Office PAIR System as having been received on May 2, 2006.

The requisite fee set forth in 37 C.F.R. §41.20(b)(2) for filing an Appeal Brief was presented with the filing of the original Appeal Brief, which is the subject of the pending Notification of Non-Compliant Appeal Brief.

*Application Serial No. 09/680,654*  
*Non-Compliance Transmittal*

It is respectfully submitted that the enclosed Response to Notification of Non-Compliant Appeal Brief and concurrently filed Replacement Amended Appeal Brief, are timely filed within the one-month period set in the Notification of Non-Compliant Appeal Brief (dated August 2, 2006), because the Replacement Amended Appeal Brief, and the concurrently filed Response to Notification of Non-Compliant Appeal Brief, are filed before the expiration of the first business day (Tuesday, September 5, 2006) following Monday, September 4, 2006 (the 2006 Labor Day holiday), following September 2, 2006 (a Saturday), the one-month due date for responding to the Notification.

Even so, the Commissioner is hereby authorized, pursuant to 37 CFR 1.136(a)(3), to treat any concurrent or future reply or correspondence for the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a constructive petition for extension of time for the appropriate length of time. The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17, including any required extension fees, which may be required during the **pendency** of this application, to Deposit Account No. 501574. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,  
KHORSANDI PATENT LAW GROUP, ALC

By Marilyn R. Khorsandi  
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MRK/aa  
Enclosures